

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

To: Chief Procurement Officer

From: Department of Health/Developmental Disabilities Division/Case Management & Information Services Branch
Department/Division/Agency

05 DEC 29 AM 11:32

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):

Medical Consultation is needed to assist DDD with independent consultation on 1) issues of health and well being as raised by advocacy agencies, guardians, case managers and other stakeholders; 2) medical/health issues including eligibility determination for both children and adults, focusing primarily on those with dual diagnoses of mental retardation and mental illness and/or challenging behaviors; and 3) in-service training and consultation for staff and other stakeholders (parents/guardians, providers) on medical and health issues and concerns as part of transition and future planning.

Provider Name: Dr. Jeffrey K. Okamoto	Total Contract Funds: \$48,000.00	Term of Contract:
Provider Address: Kapiolani Medical Center for Women & Children 1319 Punahou Street Honolulu, HI 96826	Contract Funds per Year (as applicable).	From: 12/31/05 To: 6/30/06

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

SPO approved a Restrictive Purchase of Service (RH No. 04-09) on 12/18/03 for services from Dr. Jeffrey Okamoto, Board-certified Developmental Behavioral Pediatrician. The contract commenced on 6/23/04 and will end on 12/30/05. At that time, Dr. Okamoto was the only Board-certified Developmental Behavioral Pediatrician.

DDD is requesting an exemption from Chapter 103F to extend the contract for an additional 6 months, from 12/31/05 through 6/30/06, with an additional funding amount of \$48,000.00 while the DDD proceeds with plans to procure services through a Competitive Purchase of Service.

DDD needs to continue the current restrictive contract for the additional 6 month period for the following reasons: 1) when the current restrictive purchase was approved, Dr. Okamoto was the only Board-certified Developmental Behavioral Pediatrician. However, since then, Dr. Okamoto is no longer the only Board-certified Developmental Behavioral Pediatrician. At the conclusion of the restrictive contract, DDD initially intended to purchase the service through the treatment method. However, upon further review, it was determined that the treatment method is not appropriate due to the continued and growing scope of the medical consultation needed. Therefore, DDD intends to competitively procure the services that will commence in July 2006; 2) a 6-month period is needed to adequately plan for the

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services that the DDD intends to purchase, including planning for an RFI and RFP, and to secure funding; 3) based on a settlement agreement with the Hawaii Disability Rights Center (HDRC) on August 12, 2005, the DDD needs to significantly increase the number of individuals admitted into the Home and Community Based Services-Developmental Disabilities/Mental Retardation (HCBS-DD/MR) Medicaid waiver, within specified timelines. Therefore, continuation of the medical consultation is important to the DDD for purposes of determining eligibility for services, meeting requirements for health and safety, and determining appropriate services to meet health and safety needs.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

DDD is requesting approval for an exemption to Chapter 103F to continue the current restrictive contract for a 6-month period, between December 31, 2005 and June 30, 2006 in order to allow the DDD time to plan and complete a competitive purchase of service in July 2006.

A description of the state agency's internal controls and approval requirements for the exempted procurement:

CMISB Branch Chief oversees Section Supervisors

Section Supervisor has programmatic responsibility for all POS contracts

Fiscal supervisor has fiscal responsibility for all POS contracts

Public Health Administrative Officer (PHAO) oversees contracts for Branch

Administrative Service Office (ASO) approves all requirements

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Michael Tamanaha, Branch Chief, CMISB

Margery Sheehan, Supervisor, Contracts and Resource Development Section (CRDS)

Roy Kawano, Supervisor, Fiscal Services

Direct questions to (name & position):
Margery Sheehan, Supervisor, CRDS

Phone number:
733-9177

e-mail address:
marge.sheehan@doh.hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☐

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I certify that the information provided above is to the best of my knowledge, true and correct.



Department Head Signature

DEC 27 2005

Date

Chiyome Leinaala Fukino, M.D.

Typed Name

Director of Health

Position Title

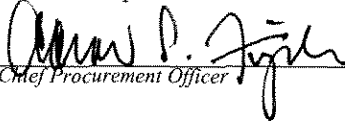
Chief Procurement Officer's Comments:

DDD is reminded that it is the responsibility of each purchasing agency to maintain proper oversight of its contracts. This includes the submission of requests for exemption, when appropriate, in a timely manner.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied



Chief Procurement Officer

12/30/05

Date

cc: Administrator
State Procurement Office

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

**STATE OF HAWAII
DEPARTMENT OF HEALTH
DEVELOPMENTAL DISABILITIES DIVISION**

PO BOX 3378
HONOLULU, HAWAII 96801
TELEPHONE (808) 586-5840
FAX NUMBER (808) 586-5844

In reply, please refer to:
File:

December 29, 2005

TO: Aaron Fujioka, Administrator
State Procurement Office

FROM: David F. Fray, Chief *David F. Fray*
Developmental Disabilities Division

SUBJECT: POSTING OF REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS
FOR JEFFREY OKAMOTO, M.D. (ASO LOG NO. 40-336)

The Developmental Disabilities Division (DDD) requests that the State Procurement Office expedite the posting of the exemption from Chapter 103F for medical consultation services from Dr. Jeffery Okamoto. It is important for the DDD to continue the medical consultation with Dr. Okamoto, a Board-certified Developmental Behavioral Pediatrician, for purposes of determining eligibility for services, meeting requirements for health and safety, and determining appropriate services to meet health and safety needs for individuals with developmental disabilities/mental retardation.

If there are any questions, please contact Margery Sheehan, Supervisor, Contracts and Resource Development Section, at 733-9177.